

REMARKS/ARGUMENTS

This is in response to the Office Action dated April 21, 2004.

The abstract has been amended as suggested by the Examiner. Likewise, claims 12-13 have been amended as suggested by the Examiner in order to overcome any potential Section 112 issue.

Claim 9 stands rejected under 35 U.S.C. Section 102(b) as being allegedly anticipated by Busboom. This Section 102(b) rejection is respectfully traversed for at least the following reasons.

Claim 9 requires "a spring coupled to the pivoting latch in a manner such that the spring biases the pivoting latch in a first rotational direction toward the first projection or bolt when a longitudinal axis of said spring is on a first side of a pivot axis of the latch, and the spring biases the pivoting latch in a second rotational direction, opposite said first rotational direction, away from the first projection or bolt when the longitudinal axis of the spring is at least partially on a second side of the pivot axis of the latch; and wherein the longitudinal axis of the spring is switched from the first side of the pivot axis of the latch to the second side of the pivot axis of the latch during raising of the cutting deck as the deck lift lever is moved so that as the deck lift lever is moved the latch is first biased by the spring in the first rotational direction toward the first projection or bolt and is thereafter biased by the spring in the second rotational direction away from the first projection or bolt when the longitudinal axis of the spring is switched to the second side of the pivot axis of the latch." For example, and without limitation, see Figs. 8(a)-8(e) of the instant application. Referring to Figs. 8(a)-(e) for example, spring 39 is coupled to pivoting latch 8 in a manner such that the spring 39 biases the pivoting latch 8 in a first rotational direction D1 (see Figs. 8(b)-8(c)) toward the first projection or bolt 35 when a longitudinal axis

of said spring is on a first side of a pivot axis 37 of the latch 8; and the spring 39 biases the pivoting latch 8 in a second rotational direction D2 (see Fig. 8(e)), opposite said first rotational direction D1, away from the first projection or bolt 35 when the longitudinal axis of the spring 39 is at least partially on a second side of the pivot axis 37 of the latch 8. Accordingly, for example and without limitation, it can be seen that the longitudinal axis of the spring 39 is switched from the first side of the pivot axis 37 of the latch 8 to the second side of the pivot axis of the latch during raising of the cutting deck as the deck lift lever 7 is moved so that as the deck lift lever is moved the latch is first biased by the spring in the first rotational direction D1 toward the first projection or bolt 35 and is thereafter biased by the spring in the second rotational direction D2 away from the first projection or bolt 35 when the longitudinal axis of the spring is switched to the other side of the pivot axis of the latch.

Busboom fails to disclose or suggest the aforesaid underlined aspect of claim 9. No spring in Busboom biases the pivoting latch in a first rotational direction toward the first projection or bolt when a longitudinal axis of the spring is on a first side of a pivot axis of the latch, and also biases the latch in a second rotational direction opposite the first rotational direction away from the first projection or bolt when the longitudinal axis of the spring is at least partially on a second side of the pivot axis of the latch. No spring of Busboom does this. Moreover, no spring in Busboom has a longitudinal axis that is switched from a first side of the pivot axis of the latch to a second side of the pivot axis of the latch during raising of the cutting deck as the deck lift lever is moved, so that as the deck lift lever is moved the latch is first biased by the spring in the first rotational direction toward the first projection or bolt and is thereafter biased by the spring in the second rotational direction away from the first projection or bolt when the longitudinal axis of the spring is switched to the second side of the pivot axis of the latch.

Busboom is entirely unrelated to each of the aforesaid aspects of claim 9, and cannot anticipate the claim.

Claim 13 requires "pulling of the lever causes an elongated horizontally aligned bar to rotate thereby causing first, second, third, and fourth elongated deck lift pull rods to move toward a rear of the mower and respective first, second, third and fourth deck lift arms to rotate and cause the cutting deck to be raised via at least four different locations; and wherein when the deck lift lever is pulled each of the first, second, third and fourth elongated deck lift pull rods moves rearwardly in its entirety toward the rear of the mower in a direction substantially parallel to a longitudinal axis of the respective pull rod so that during such movement the longitudinal axes of each of said first, second, third and fourth respective pull rods remain at approximately the same respective angular orientation(s) relative to ground on which the mower is located."

For example, and without limitation, it can be seen from the arrow (→) shown in Fig. 8(c) that when lever 7 is pulled then pull rod 10 moves rearwardly in its entirety toward the rear of the mower in a direction substantially parallel to a longitudinal axis of the respective pull rod so that during such movement the longitudinal axis of rod 10 remains at approximately the same respective angular orientation(s) relative to ground on which the mower is located. See pull rods 9, 10, 11, and 12 in this respect, all of which move in a sliding manner, as opposed to a significant pivoting or rotating manner during deck lifting.

Busboom fails to disclose or suggest the aforesaid aspects of claim 13. Busboom discloses nothing akin to the invention of claim 13.

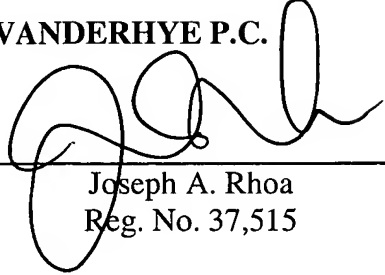
For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

· VELKE et al.
10/713,027
September 20, 2004

Respectfully submitted,

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By: _____

A handwritten signature in black ink, appearing to read 'J. Rhoa', is written over a horizontal line.

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